

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yoram Cedar, Micky Holtzman and Yosi Pinto  
Assignee: SanDisk Corporation  
Title: Multiple Removable Non-Volatile Memory Cards Serially  
Communicating With a Host  
Application No.: 09/641,023 Filing Date: August 17, 2000  
Examiner: Auve, Glenn Allen Group Art Unit: 2181  
Docket No.: SNDK.158US0 Conf. No.: 4831

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL DECLARATION OF APPLICANTS UNDER 37 C.F.R. § 1.132**

Sir:

The undersigned declare, under penalty of perjury under the laws of the United States of America, that the following is true and correct and that each of us has personal knowledge of the matters set forth in this Supplemental Declaration and, if called upon to testify, could competently testify thereto. This is a continuation of the Declaration of Applicants under 37 C.F.R. § 132, filed October 9, 2003. The following paragraphs are numbered in sequence from those of the prior Declaration.

7. Groups of engineers of MEI, SanDisk and Toshiba worked both separately within their individual companies and together in joint discussions to develop specifications for the SD Memory Card that are expressed in the SD Specification 1.0. We were part of the group of engineers from SanDisk.

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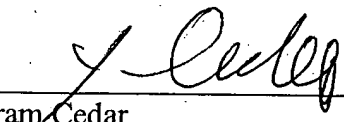
8. During the period of development of the SD Memory Card, it was important to us at SanDisk that the SD Memory Card be backward-compatible with the existing MultiMediaCard ("MMC") because SanDisk participated in defining that standard and sold MMC memory cards as a product. The MMC card is specified in the "MultiMediaCard System Specification Version 2.11," ("MMC Specification") which we understand has already been submitted to the U.S. Patent and Trademark Office in connection with the Present Application. We wanted the MMC card to continue to be useable in systems designed for the SD Memory Card. Portions of the SD Specification 1.0 therefore include material from the MMC Specification. This backward compatibility with the MMC card was not of such concern to the other 3C companies. The subject matter claimed in the Present Application was conceived by us and formed part of SanDisk's contribution to the SD Specification 1.0 with a purpose of providing such backward-compatibility.

9. We note that the Office Action dated December 4, 2003 rejected claims 1-20 and 24-32 of the Present Application as anticipated by the SD Specification 1.0, with specific reference to the following portions: sections 3 (particularly section 3.1.1), 4.3.1, 4.4 and 5; and pages 20, 44, 108 and 114. Descriptions in these specifically referenced portions of subject matter claimed in the Present Application are either descriptions by us, or derived from us, of subject matter conceived solely by us.

10. Yosi Pinto additionally declares: I was the principal writer of the SD Specification 1.0. I wrote the SD Specification 1.0 to include our contributions, those of other engineers within the group from SanDisk and of engineers within the groups of engineers from MEI and Toshiba, as well as including material from the MMC Specification.

Each of us declares that all statements made herein of our own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements are made herein with the knowledge that, in any document to be filed in the United States Patent and Trademark Office, willful false statements and the like are punishable, including fine or imprisonment or both, as set forth in 18 U.S.C. § 1001, and may jeopardize the validity of the Present Application and any patent issuing therefrom.

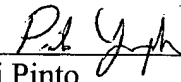
Executed this 3 day of March 2004, in Sunnyvale, California.

  
Yoram Cedar

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2004, in \_\_\_\_\_, Israel.

\_\_\_\_\_  
Micky Holtzman

Executed this 3 day of 3 2004, in Sunnyvale, California.

  
Yosi Pinto



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Executed this \_\_\_\_ day of \_\_\_\_\_ 2004, in Sunnyvale, California.

\_\_\_\_\_  
Yoram Cedar

Executed this 29 day of Feb 2004, in Tirop, Israel.

  
\_\_\_\_\_  
~~Micky Holtzman~~

Executed this \_\_\_\_ day of \_\_\_\_\_ 2004, in Sunnyvale, California.

\_\_\_\_\_  
Yosi Pinto

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**DECLARATION OF APPLICANTS UNDER 37 C.F.R. § 132**

Sir:

The undersigned declare, under penalty of perjury under the laws of the United States of America, that the following is true and correct:

1. We are the named applicants of the above-identified patent application (the "Present Application"), which we have assigned to SanDisk Corporation of Sunnyvale, California ("SanDisk"). We have been employed by SanDisk during the entire time of the activities described herein, continuously from prior to the August 17, 2000 filing of the Present Application until the present. Each of us has personal knowledge of the matters set forth in this Declaration and, if called upon to testify, could competently testify thereto.

2. As part of our work to develop a new flash memory card, which has become known as the "SD Memory Card," we worked with other employees of SanDisk and engineers of Toshiba Corporation ("Toshiba") and Matsushita Electric Industrial Co., Ltd. ("MEI"), both of Japan, to generate a set of structural, electrical and operational standards for

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the card. One result of this work was a document entitled "SD Memory Card Specifications, Part 1, Physical Layer Specification, Version 1.0," dated March 22, 2000 ("SD Specification 1.0"). We participated in discussions of the subject matter described in this document and in its drafting.

3. SanDisk, Toshiba and MEI (together, the "3C") agreed in August 1999 to jointly develop, specify and promote the next generation of secure memory card. In January 2000, the 3C formed the SD Card Association ("SDA") with an expanded membership to set standards for the SD Memory Card and promote its wide acceptance in digital applications. Prior to the August 20, 2000 filing of the Present Application, the SD Specification 1.0 was made available under confidence to companies joining the SDA.

4. A non-confidential version of an early draft of the SD Specification 1.0, entitled "SD Memory Card Simplified Specifications" and dated January 2000, was prepared for unrestricted public distribution. This Simplified version omits many sections of the SD Specification 1.0.

5. A document entitled "Supplementary Notes for: SD Memory Card Specifications, Part 1, Physical Layer Specification, Version 1.0, March 2000" and dated June 2000 includes 8 clarifications and updates of the SD Specification 1.0. These Supplementary Notes resulted from work of us, others at SanDisk and engineers of Toshiba and MEI.

6. The descriptions in the forgoing identified documents of the subject matter claimed in the Present Application are descriptions derived from us of subject matter conceived and invented by us.

Each of us declares that all statements made herein of our own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements are made herein with the knowledge that, in any document to be filed in the United States



Patent and Trademark Office, willful false statements and the like are punishable, including fine or imprisonment or both, as set forth in 18 U.S.C. § 1001, and may jeopardize the validity of the Present Application and any patent issuing therefrom.

Executed this 2 day of <sup>October</sup>~~September~~ 2003, in San Francisco, California.

Yoram Cedar  
Yoram Cedar

Micky Holtzman  
Micky Holtzman

Executed this 3 day of <sup>October</sup>~~September~~ 2003, in Sunnyvale, California.

Yosi Pinto  
Yosi Pinto